

## District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Huntington

Date: 8/15/2011

Case Number 3:11-cr-74

Case Style: USA vs. Basim Talouzi

Type of hearing Sentencing

Before the honorable: 2514-Chambers

Court Reporter Teresa Ruffner

Courtroom Deputy Terry Justice

Attorney(s) for the Plaintiff or Government Michael Hissam

Attorney(s) for the Defendant(s) Tim Carrico

Law Clerk Sandy Slack

Probation Officer Carol Greene

### Trial Time

### Non-Trial Time

### Court Time

10:50 am to 11:41 am

Total Court Time: 0 Hours 51 Minutes Non-Trial Time/Uncontested Time

### Courtroom Notes

Hearing scheduled to commence: 10:30 am

Hearing commenced: 10:50 am

Defendant appeared in person and with counsel pursuant to a plea to counts one and twenty-three of the indictment.  
Defendant sworn.

Objections to the presentence report:

1 - the Government objected to the PSR not containing an enhancement for obstruction of justice - denied.

2- Defendant objected to the 2 level increase under 3D1.4 versus the counts being grouped under 3D1.2(d) - granted.

Presentence Report adopted with exception.

Plea agreement accepted.

Total offense level                      17  
criminal history category III

advisory guideline ranges

## District Judge Daybook Entry

custody 30 - 37 months  
sr 3 years  
fine \$5000 - 1,250,000  
SA \$200

Defendant requested that the supervised release revocation sentence be served consecutively with this sentence.  
Motion of Defendant for downward variance.  
Response of Government.  
Comments of Defendant.  
Motion denied.

Custody 36 months as to both counts

The Court recommended: that the defendant be housed at FCI Morgantown, WV; that the defendant be allowed to participate in the Comprehensive Drug Abuse Treatment Program.

Supervised Release 3 years

special condition of supervised release: the defendant will participate in a program of testing, counseling, and treatment for drug and alcohol abuse as directed by the probation officer.

Fine \$5000 due immediately.  
Payment of no more than \$25 per quarter while incarcerated.

If such fine is not paid in full before the defendant's release from prison, the Court orders the defendant to pay the balance of the fine in installments of \$150 per month, with the first being due 30 days after release from prison.

Financial conditions imposed.

Fine is without interest.

Fine is a special condition of supervised release.

Special Assessment \$200

The special assessment will be paid through participation in the Inmate Financial Responsibility Program.

The defendant was informed of appeal rights.

Motion of United States of dismiss remaining charges; Motion granted.

11:32 am

Defendant appeared in person and with counsel pursuant to the petition submitted by the probation officer in case number 5: 98-00173.

Defendant admitted each violation.

Court found that the defendant violated the terms of supervised release.

advisory guideline range 15-21 months

Comments of Government and defendant's counsel.

Supervised Release revoked.

Custody 24 months to be served consecutively to the sentence in 3:11-174-01

The Court recommended: that the defendant be housed at FCI Morgantown, WV; that the defendant be allowed to

### District Judge Daybook Entry

participate in the Comprehensive Drug Treatment Program.

To the extent the previously imposed fine and restitution have not been paid, those amounts are due.

Defendant detained.

Hearing concluded: 11:41 pm